



City of Carmel

CARMEL PLAN COMMISSION

JULY 19, 2005

The regularly scheduled meeting of the Carmel Plan Commission met at 6:00 PM in the Council Chambers of City Hall, Carmel, Indiana on Tuesday, July 19, 2005.

Members present were: Leo Dierckman, Wayne Haney, Dianna Knoll, Mark Rattermann, Rick Ripma, and Susan Westermeier, thereby constituting a quorum.

The minutes of the June 21, 2005 meeting were approved as submitted.

Legal Counsel Report: John Molitor, Legal Counsel reported that the State Legislature has created an interim study committee to study eminent domain. John Molitor will monitor the Committee and report to the Commission from time-to-time.

Department Report: Matt Griffin announced that Tuesday, July 26 at 6:00 PM, Adam Thies from Eden Land Design will be going over the draft format of principles from the Urban Design Initiative that the City has been involved in for the past few months. Members of the Business Community and General Public are encouraged to attend.

Additionally, there are two items that have been continued to the August 16th meeting: 1h., Providence at Old Meridian Phase 4, and item 3h., Sweet Charity Estates Primary Plat.

H. Public Hearings:

1h. CONTINUED TO AUG. 16

Docket No. 05020037 DP/ADLS:

Providence at Old Meridian Phase 4 - Townhomes at Providence 2

The applicant seeks to construct 31 townhomes on 1.6 acres. The site is located at 11559 Old Meridian Street and is zoned OM-MU (Old Meridian - Mixed Use).

Filed by Jim Shinaver for Buckingham Companies.

2h. Docket No. 05020043 DP/ADLS: Barker Law Office

The applicant seeks to convert a residential lot and structure into a Law Office. The 0.25 acre site is located at 650 North Range Line Road and is zoned B5 (Business).

Filed by David J. Barker.

David Barker, 12588 Sandstone Run, Carmel, Indiana appeared before the Commission representing Carmel Development LLC, and Tom Lazarra, 50/50 owners of the property located at 650 North Range Line Road, Carmel.

The current sign was previously given approval by Jon Dobosiewicz and the size of the sign meets the Ordinance. There are two can lights, 45 watts, that shine up on the sign. There are also exterior floodlights that operate on light sensors and will shine down onto the property and the driveway to the rear. The immediate owners to the north are the O'Brien family and they are pleased that there is no light spillage onto their property.

No modifications are being made to the exterior other than being painted. The property consists of .25 acres, 723 square feet. Interior changes have been made to accommodate two offices for attorneys, a copy room, and a kitchenette. The Ordinance requires 3 parking spaces; 4 have been provided.

Notice was published in the paper and the adjoining neighbors were given notice by certified mail. One of the adjoining neighbors was thought to be a business and leasing office space, however, it is now known that this neighbor is purely residential in nature and in compliance.

This Development Plan proposal has been reviewed by the Technical Advisory Committee and all issues have been addressed. The Fire Department would like a "knocks box" for the key to the building and this has now been provided.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Comments: Matt Griffin reported no outstanding issues with this site and the Department is recommending this item be forwarded to the Special Study Committee unless the Commission has no additional comments. In that instance, the Department would recommend suspension of the Rules of Procedure and approving the Development Plan and ADLS this evening. It is understood that the petitioner must apply for and receive a sign permit from the Department of Community Services.

Dianna Knoll made formal motion to suspend the Rules of Procedure, seconded by Rick Ripma, Approved 6-0.

Dianna Knoll made formal motion to approve **Docket No. 05020043 DP/ADLS, Barker Law Office**, seconded by Rick Ripma, **APPROVED** 6-0.

3h. **CONTINUED TO AUG. 16**

Docket No. 05030024 PP: Sweet Charity Estates - Primary Plat

The applicant seeks to plat a residential subdivision of 22 lots on 38.68 acres±. The site is located at 1303 West 116th Street and is zoned S1/Residential.

Filed by Paul Reis of Drewry Simmons Vornehm, LLP.

4h. **05050060 PP and 05050062 SP: Blue Ridge Estates**

The applicant seeks approval to plat 3 lots on 5.99 acres with the following Subdivision Waiver:

05050061 SW: 06.03.19 Waiver to allow direct access to Shelborne Road for each lot (waiver from the requirement for a frontage place, alley, or other designated means of access).

The site is located at 12075 Shelborne Road and is zoned S1/Residential.

Filed by Mark Monroe for Michael Maloy.

Mark Monroe, attorney with offices at One Indiana Square, Suite 1800, Indianapolis, appeared before the Commission representing the applicant. Also in attendance: Michael Maloy, owner of the property in question, and Matt Maple, project engineer.

The subject site is 6 acres in size located on the east side of Shelborne Road and is zoned S-1/Residential. Currently, the Maloy residence is on the property as well as two adjoining barn facilities. The site contains a regulated drain to the rear of the property.

The proposed plat divides the property into three lots; the first lot will likely contain Mr. Maloy's residence, approximately two and one-half acres. The second lot would contain almost two acres; lot three would contain one and one-half acres. Approval is being requested for both the primary plat and secondary plat.

One subdivision waiver is being requested and that is to exclude the requirement of a frontage road along Shelborne Road. The petitioner is trying to keep the rural character along Shelborne Road. Mr. Maloy already has two access points along Shelborne Road connecting in a horseshoe pattern. It is likely that the horseshoe would remain and provide access to all three lots, again maintaining the rural character of the area.

The primary plat does include the installation of the bike path, noted in the Staff Report. Also noted in the Staff Report is an Engineering issue regarding access the site. The petitioner is requesting that any approval be contingent upon the engineering issues being addressed.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Comments, Matt Griffin. The Department is requesting that the 10-foot pedestrian path be installed along with the property or that a fund be established now for the installation of the path rather than waiting for the neighboring property to be developed. Secondly, Engineering had an issue with allowing three curb cuts onto Shelborne Road—Engineering would rather see one curb cut. The Department is comfortable allowing the petitioner to work this out with the Engineering Dept for a satisfactory resolution. If there are no further issues, the Department is recommending that the Commission consider a suspension of the Rules in order to vote favorably on this item this evening with the condition of the path installation or a fund set aside for its installation.

Mark Monroe stated that the petitioner is willing to commit to the installation of the path. The

petitioner would like flexibility to negotiate with the Engineering Dept. as to the number of driveways—three, two, or one for each lot. The utilities are private, sanitary sewer and public water is not available to the site—water and sewer would be provided on site; water via well, the sewer by a septic field. Mark Monroe said he would show the easements on the plat.

Rick Ripma preferred that that path be installed up front rather than waiting for the installation of the asphalt path.

There was no objection by the Commission in moving forward at this time.

Diana Knoll made formal motion to suspend the Rules of Procedure, seconded by Mark Rattermann.

Rick Ripma moved for approval of **Docket No. 05050062 SP, Blue Ridge Estates, and 05005006 SW, 06.03.19 conditioned upon** the installation of the asphalt path and drive access according to negotiations between the petitioner and the City Engineering Dept., seconded by Dianna Knoll, **APPROVED 5-0.**

5h. **Docket No. 05060011 DP/ADLS: Guilford Road Condominiums (Townhomes)**

The applicant seeks create an 8 townhome buildings containing a total of 37 units on 2.15 acres. The site is located at the SW corner of Main St. and Guilford Road and is zoned OM/MU (Old Meridian/Mixed Use).

Filed by Marc Monroe for Guilford Real Estate Partners, LLC.

Mark Monroe appeared before the Commission representing the petitioner. Also in attendance: Scott Creswall, Guilford Real Estate Partners; Mr. Van Dykman, project engineer; Mark Smith and David Swain, project architects, MAS Associates.

The project is located one property south of the southwest corner of Guilford Road and Main Street. The site is bordered to the north by a new retail center under construction and recently approved by the Commission; to the east is the Wilson Village condominium complex; to the south is the Carmel Swimming Pool and Carmel Middle School; to the west is the Rose Walk on Main Development, senior housing. The site is approximately 2 acres in size and is zoned multi-family within the Old Meridian District.

The project consists of 37 units on 2.15 acres. The landscape plan provides over 60 trees and over 300 shrubs. The photometric plan shows the lighting pole locations as well as decorative lighting. It is also noted that under tab four, there is no light spillage on any adjoining property. The lighting style is decorative, acorn-style under the lighting fixtures.

The units are three stories in height, 100% brick with Hardy-plank trim with accent windows, and balcony and decorative window areas on top of the stairwells with wood decking. There is a trim piece over the roof element.

The petitioner has appeared before the Technical Advisory Committee and is currently working to address those issues mainly consisting of site construction details. The Staff Report has been discussed with Matt Griffin and those have either been addressed in the plans or variances will be filed with the Board of Zoning Appeals.

The plan provides for 3,000 square feet per unit, excluding the garage space. The price of the units is estimated to be near \$300,000.

Members of the public were invited to speak in favor of, or opposition to the proposed petition.

Department Comments, Matt Griffin. This site is actually within the Old Meridian/Multi Family Zone, not mixed use. Item 11 refers to the courtyard and that it must be enclosed by a fence or wall. The petitioner is proposing an iron fence to enclose the area. The remainder of the issues has not been resolved and will require further discussion. The Department is recommending this item be forwarded to the Special Studies Committee for further discussion.

Wayne Haney commented that this is an extremely dense development and there is no attempt to create a recreational or landscape area. Also, is there any space outside the garage for guest parking?

Mark Monroe commented that this site is within the Old Meridian District that was intended to promote dense, multi-family areas. The Old Meridian District was also intended to be urban in nature. The intention of the area was for people to walk elsewhere for shopping and recreation; the intention was not to have recreation within the community, it is within the area close-by.

Additionally, visitor parking would be adjacent to each garage and sized to permit two cars in addition to those cars that might be parked within the garage itself. There are approximately 74 parking spaces, not including on-street parking on Guilford.

Dianna Knoll commented that the balconies would suggest a door or some way to get to the balcony; no door is shown. Also, the small windows above have a lot of space—architecturally there are some opportunities to make it a little fresher and more interesting.

Rick Ripma commented that it looks a little odd to be on the deck for your front door. This would be better done in a concrete stoop. The entire building has very little detail—it is all brick and kind of boring looking. Mr. Ripma was confused as to the statement that 75% of the structure must front the public right-of-way.

Matt Griffin responded that the petitioner is asking for a waiver from this requirement.

Docket No. 05060011 DP/ADLS, Guilford Road Condominiums (Townhomes) was referred to the Special Study Committee for further review on Tuesday, August 2, 1005.

6h. **Docket No. 05070002 OA: West Home Place Setback Amendment**

The applicant seeks to Amend the Zoning Ordinance, *Chapter 23E.09: West Home Place Commercial Corridor*, in order to reduce setback requirements.

Filed by the Carmel Department of Community Services.

Adrienne Keeling, Dept. of Community Services appeared before the Commission representing the applicant. The Setback Amendment is for the West Home Place Commercial Corridor within the Home Place Overlay District. The West Home Place Commercial Corridor is located along Pennsylvania Street.

The intent of the Home Place Commercial Corridor is to act as a transitional buffer between intense commercial uses along US 31 and the existing residential areas. The purpose of the reduction in the Setbacks is to better serve future projects in the area.

The proposal is for the following setbacks: Front yard, 5 feet; Side yards, 10 feet; Rear Yards, 15 feet or 10 feet depending on whether is borders residential or business.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Comments, Matt Griffin. The Overlay is on top of a small sliver of property. The properties being looked at are basically "half lots" along Pennsylvania Street.

Jim Shinaver, Nelson & Frankenberger commented that under the current setback requirements, and the current right-of-way dedication requirements because of the Thoroughfare Plan, what is left are the narrow lots and complying with the setbacks allows no room to construct a building. Therefore, economic motivation to buy land and re-develop is diminished.

Docket No. 05070002 OA, West Home Place Setback Amendment was forwarded to the Subdivision Committee for further review at 6:00 PM on August 2, 2005 in the Caucus Rooms of City Hall.

I. Old Business:

1i. **Docket No. 05040027 DP/ADLS: West Carmel Center Office Park**

The applicant seeks to create 4 office buildings on approximately 6 acres±. The site is located southeast of Commerce Drive and Carwinion Way. The site is zoned B-5. Filed by Jack Lashenik of American Consulting, Inc. for Coastal Partners, LLC.

Allen Fetahagic, American Consulting, Inc., 7260 Shadeland Station, Indianapolis 46250 appeared before the Commission representing the applicant.

The West Carmel Center Office Park project was reviewed by the Subdivision Committee on July 5, 2005. The comments from the Committee members have been addressed as well as those from the neighboring residents.

The major concern with the landscape plan was the view of the dumpster and that has now been addressed through additional screening toward the lake and the adjacent residential homes. Also, a knee-wall for the shelter was provided for the same reason. Scott Brewer's comments regarding the tree plantings along Commerce Drive have also been addressed.

Committee Report, Rick Ripma. The questions presented at the Committee level concerned the light standards and the petitioner has successfully addressed those concerns. The other issue involved parking and driveways from cars entering and exiting the project and headlights shining into the residential area; those issues have been addressed as well. The petitioner worked with the Committee on the installation of a small retaining wall around the shelter. The Committee recommended approval of this project.

Department Comments, Matt Griffin. The last outstanding issue was getting with Scott Brewer for acceptance and approval of the tree plantings, and this was confirmed today. There are no further comments at this time.

Rick Ripma made formal motion to approve **Docket No. 05040027 DP/ADLS, West Carmel Center Office Park**, seconded by Mark Rattermann, **APPROVED** 6-0.

2i. **Docket No. 05040012 PP: Abney Glen**

The applicant seeks approval to plat 42 lots on 38.68 acres with the following Subdivision Waivers:

05040013 SW: 6.05.07 Dwellings facing thoroughfares

05040014 SW: 6.03.07 Cul-de-sacs

05050020 SW: 6.02 Suitability of land

The site is located at 11850 Shelborne Road and is zoned S1/Residential.

Filed by Paul Shoopman for Indiana Land Development Corp

Charlie Frankenberger, attorney with Nelson & Frankenberger appeared before the Commission representing the applicant. Also in attendance: Paul Shoopman, Indiana Land Development, and Jud Scott, arborist, Vine & Branch.

The site is located south of 121st Street and west of Shelborne Road. There will be 44 lots within the development, yielding a density of 1.1 units per acre. The open space required is 15%, the open space provided is 25%.

The applicant is requesting primary plat approval and subdivision waivers necessary to achieve this up-scale community. The development is a high level of design and there has been great attention to tree preservation. As indicated in the informational packets, the residences will vary in price from \$400,000 upwards and will comply with all recommendations of the Department.

Dianna Knoll reported for the Subdivision Committee. The Committee worked with the Long Branch neighbors regarding the tree preservation commitment. One of the issues worked through

was the curb cuts for ingress/egress throughout the project. The Committee voted a favorable (4-0) recommendation for approval.

Department Report, Matt Griffin. The Department received a letter from Long Branch Estates Board of Directors in support of this petition. Point of Note: There are a few outstanding items—one is that the petitioner should provide the Department with an estimate for roadway improvements that would be determined through the Engineering Department. Secondly, the Department is recommending approval with the commitments as written in Tab A of the informational booklet.

Dianna Knoll made formal motion to approve **Docket No. 05040012 PP, Abney Glen Primary Plat and allied Subdivision Waivers, 05040013 SW, 6.05.07; 05040014 SW, 6.03.07; 05050020 SW, 6.02, conditioned upon** submission in writing of the aforesaid estimate for roadway improvements and commitments in Tab A, seconded by Rick Ripma, **APPROVED** 6-0.

3i. **Docket No. 05040026 DP/ADLS: Burford Office Park**

The applicant seeks approval to construct a 2 building office complex on 1.73 acres in conjunction with the following rezone:

Docket No. 05040028 Z: Burford Office Park

The applicant seeks to rezone 1.73 acres from R1 and R3 to B5. The site is located at 10430 Delaware St. N and is zoned R1 and R3, and is within the Home Place District Overlay Zone.

Filed by Jim Shinaver of Nelson and Frankenberger for Burford Properties, LLC.

Jim Shinaver, 1524 Warwick Court, Carmel, attorney with Nelson and Frankenberger appeared before the Commission representing the applicant. Also in attendance: Dr. Lynn Burford, Sean Curran, architect, Jeff Hartman, engineer, and Debbie Shumate, Harding, Dahm, Grubb & Ellis.

The petitioner appeared before the full Commission for public hearing on June 21, 2005, followed by Special Studies Committee review on July 5, 2005. The Committee rendered a unanimous, favorable recommendation pertaining to Dr. Burford's request for ADLS/DP approval and a recommendation on Dr. Burford's rezone request.

As previously explained, Dr. Burford is an optometrist and has been a resident of Carmel for over 15 years. Dr. Burford has also maintained an office in Carmel for approximately 8 years at 10293 North Meridian. Dr. Burford's practice is growing and her lease is expiring; Dr. Burford desires to relocate to an up-dated facility that can accommodate a greater number of patients. However, Dr. Burford has enjoyed being a part of the Carmel business community and desires to re-locate within the City of Carmel.

Dr. Burford has placed under contract four parcels of real estate located east of and adjacent to Pennsylvania Street and to the south of 106th Street. The parcels are currently zoned R-1 and R-3 Residential. Dr. Burford desires to rezone these buildings to a B-5 Business classification in order to permit the development of two buildings on the site to accommodate general and/or professional

offices. The further proposed commitments state that all other B-5 permitted uses shall be prohibited except for general and/or professional offices.

As explained previously, the real estate is within the Home Place District Overlay and specifically West Home Place commercial corridor. The Comprehensive Plan for this area designates the real estate as an edge between medium intensity residential community area and low intensity regional community commercial employment area. Consequently, based on the fact that this property is within the Home Place Commercial Overlay, and its designation in the Comprehensive Plan, the petitioner believes the rezone request B-5 Business Classification is an acceptable and appropriate use for the real estate. It should also be noted that the B-5 Business Classification is intended to provide a transition or buffer between the heavier business uses on the west side of Pennsylvania Street near Meridian Street, and the residential uses located to the east of Dr. Burford's property.

Further, as explained in the zoning Ordinance, the B-5 Business Classification is frequently found in close proximity to residential areas and/or inter-mixed with residential areas. The intention behind the B-5 Business Classification is to allow for a compatible mixture of residential uses and adjacent, general office building developments. It should be noted that west of and adjacent to this real estate are numerous parcels that are currently zoned B-5 Business.

The ingress/egress adjacent to Pennsylvania Street is designed in such a way that it aligns with the curb cut across the street. There is also a ten-foot asphalt path running in a north/south direction. In discussing this matter with the Department and in lieu of constructing the asphalt path now, the petitioner is making a commitment to the City for a financial contribution in an amount equal to the cost of constructing the asphalt path. Upon obtaining the rezone approval, if that does occur, and upon issuance of a building Improvement Location Permit, the funds would then be submitted to the City of Carmel.

There are two buildings proposed on the site plan. The north building is referred to as Phase One building; the southern building is referred to as Phase Two building. If the rezone were to be approved, Phase One would be constructed immediately; the Phase Two building would be constructed at a future date. Both buildings have been designed to be compatible utilizing the same architectural features and the same building materials. The Phase One building to the north would be approximately 6,780 square feet in size, the southern building, Phase Two, would be approximately 3,720 square feet in size. Parking has been provided between the two buildings. The original plan accommodated 35 parking spaces and based on the combined square footage, (10,500 square feet) the parking regulations require one parking space per 250 square feet of office space—the site actually required 42 parking spaces. In reviewing the site and the Ordinance, the petitioner has added a row of parking on the eastern portion of the site. The inclusion of the 14 additional parking spaces takes the parking count from 35 spaces up to 49—7 more than the Ordinance requires or one parking space per 214 square feet of office space.

Two dry detention pond areas are proposed. In meeting with the Dept. and the County Surveyor's Office, it was agreed that underground private drainage pipes could be incorporated into the site moving in a westerly direction toward Pennsylvania Street, both on the northern portion of the site and the southern portion of the site. The pipe would then tie into an area farther south of the site.

The other alternate route going farther west across Pennsylvania Street into the office park on the west side and then moving in a southerly direction. A letter has been submitted to the Department reflecting the drainage design and that indicates the Surveyor's Office support of the drainage plan. At this time, Jennifer Hartman, Engineer is in the process of confirming the capacity.

The landscape plan is essentially the same as was approved originally. However, because of the inclusion of the parking strip on the east side of the property, additional landscaping has been added. There are also numerous plantings along the perimeter of the site and interior to the parking lot area. The proposal is exactly what was envisioned by the Overlay when it was adopted.

Subdivision Committee Report, Dianna Knoll. The committee was complimentary of the design and architecture of the building, it makes a nice transition between the office buildings and residential area. Parking was a big issue at the Committee level, and that has now been resolved. A legal description has been provided of the entire site, including the lot where the additional parking is situated. The Committee voted 4-0 unanimously to recommend approval.

Department Report, Matt Griffin. The petitioner has addressed the outstanding concerns expressed by the Department. At this time, the Department is recommending approval conditioned upon the commitments referred to earlier regarding the monetary contribution to install the 10-foot asphalt path, and that the storm water mitigation design directs storm water runoff to the west from the south. Note: The petitioner agreed to the two commitments.

Mark Rattermann commented that from the design, it looks as if the asphalt path and the sidewalk will run parallel and very close; this was confirmed by Jim Shinaver.

Leo Dierckman responded that this situation is a reality when sidewalks are against the building and the buildings are so close to the road.

Wayne Haney asked about the mechanical equipment; Jim Shinaver responded that no mechanical equipment is exposed.

Dianna Knoll made formal motion to approve **Docket No. 05040026 DP/ADLS, Burford Office Park with commitments** as aforesaid. and to **forward Docket No. 05040028 Z, Burford Office Park** to the City Council with a positive recommendation, seconded by Rick Ripma, **APPROVED 6-0.**

4i. **Docket No. 05050005 PP: Yorktown Woods - Primary Plat**

The applicant seeks to plat a residential subdivision of 33 lots on 12.4 acres.

Docket No. 05050006 SW: 07.05.07 (2) – Woodlands

The applicant seeks to remove 44% percent of the existing young woodlands (ordinance permits only 30% clearing). The site is located S of Laura Visa Drive Stub/E of SR 431. The site is zoned R1/Residential.

Filed by Gary Merritt.

Charlie Frankenberger, 5212 Carrington Circle, Carmel, attorney with Nelson & Frankenberger appeared before the Commission representing the applicant, MHE Development. Also in attendance: Bob Ellis, MHE Development, and Brian Cross, Engineer.

The applicant is requesting primary plat approval and Subdivision Waiver. The petitioner has been before the Subdivision Committee for review and received a favorable recommendation. Yorktown Woods consists of approximately 12.4 acres located north of 136th Street. The site is transitional and the entire western boundary abuts the heavily traveled Keystone corridor.

The plan provides for 39% open space, 20% is required. The open space and architectural commitments are more than is required; the density is less than permitted. The homes in this development will vary in price from \$350,000 to \$450,000. The petitioner has provided Al Koeske, president of the Foster Estates HOA, with a construction traffic usage plan similar to the one used by Foster Estates with the developers of Laura Vista.

Dianna Knoll reported for the Subdivision Committee. The main issue was the construction traffic route and this has been resolved by utilizing the frontage road and the same agreement used by Foster Estates and Laura Vista. The Committee voted unanimously to recommend approval.

Department Comments, Matt Griffin. There are no outstanding issues at this time and recommends approval.

Dianna Knoll made formal motion to approve **Docket No. 05050005 PP, Yorktown Woods, Primary Plat and Docket No. 05050006 SW, 07.05.07 (2) Woodlands**, seconded by Rick Ripma, **APPROVED 6-0.**

J. New Business:

1j. Docket No. 05070003 ADLS Amend: Family Christian Store

The applicant seeks approval of 3 wall signs and 1 illuminated window sign. The site is located at 715 E Carmel Dr. It is zoned B-8/Business and is in the US 431 Overlay.
Filed by Randy Whiteman of North American Signs.

Greg Rohr appeared before the Commission representing the Family Christian Store. The signage as proposed meets the requirements in terms of allowable square footage.

Department Comments, Matt Griffin. This item was before the Commission approximately 30 days ago. Essentially, the information from the applicant is that the blue window tinting is not tinting, it is actually inherent to the glass. The petitioner would prefer to leave the blue windows in place, not add any additional purple tinting anywhere on the building, and just install their signs on the site as it currently sits. The Department is recommending approval at this time.

Mark Rattermann commented that the previous review was all about color. The sign is still purple, and the windows will not change—they are still blue—that was the objection.

Greg Rohr responded that the purple tinting was to be applied to the large windows—that is no longer viable. No additional purple will be utilized.

Susan Westermeier moved for approval of Docket No. 05070003 ADLS Amend, Family Christian Store, seconded by Rick Ripma; the vote was 5 in favor, one opposed (Rattermann.)

There was no further business to come before the Commission and the meeting adjourned at 8:30 PM.

Leo Dierckman, President

Ramona Hancock, Secretary